

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Sri M. Rangaiah, formerly Assistant Treasury Officer, Divisional Sub Treasury, Jammalamadugu and presently Assistant Treasury Officer (Retd.), District Treasury, Nellore – Departmental proceedings under Rule 9 of Revised Pension Rules, 1980 – Articles of Charges – Issued.

FINANCE (ADMN.1.VIG) DEPARTMENT

G.O.Rt.No 3338

Dated: 09 -09-2009

Read the following:-

1. Lr.No.K (II)5/16271/2008, Dt.03.8.2009 from the Director of Treasuries and Accounts, AP, Hyderabad
2. G.O.Ms.No.236 Finance (Admn.I.Vig.) Dept., dt 09-09-2009

ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri M. Rangaiah, Assistant Treasury Officer (Retd.), District Treasury, Nellore in the reference 2nd cited it is proposed to hold an enquiry against Sri M. Rangaiah, Assistant Treasury Officer (Retd.) in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 on the grounds of his implication in a criminal case filed in Cr.No.130/08, Dt.01.8.2008 U/s. 498-A, 506 IPC and Sec. 3 &4 of Dowry prohibition Act, his consequent charge sheeting in the court of Judicial 1st Class Magistrate, Kurnool, his alleged tampering/creation of treasury records for the period from 25.7.2008 to 30.7.2008 as if he attended the office though he did not attend and his not informing his controlling authority about his implication in the said criminal case vide Cr.No.130/08.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure –I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV). He is also furnished herewith copies of documents in support of the articles of charges.

3. Sri M. Rangaiah, Assistant Treasury Officer (Retd.) is directed to submit his written statement of defence within (10) days from the date of receipt of this order and also to state whether he desires to be heard in person.

4. Sri M. Rangaiah, Assistant Treasury Officer (Retd.) is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M. Rangaiah, Assistant Treasury Officer (Retd.) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of rule 20 of APCS (CC & A) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the Inquiring authority may hold the inquiry against him ex-parte.

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

To

Sri M. Rangaiah, Assistant Treasury Officer (Retd.), District Treasury, Nellore - through the Deputy Director, District Treasury, Nellore.

Copy to the Deputy Director, District Treasury, Nellore.(Induplicate). He is requested to serve the Government orders on the retired officer duly obtaining his dated signature on the duplicate copy of the orders and resubmit the same to this office immediately.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – I

**STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI
M. RANGAIAH, ATO (Retd.) DISTRICT TREASURY, NELLORE.**

Article of charge – I : “that Sri M. Rangaiah, Assistant Treasury Officer, while working as such at the Divisional Sub Treasury, Jammalamadugu has unauthorized abstained from duties between 25-07-2008 to 30-07-2008 without prior permission or sanction of leave and dishonestly signed in the attendance register on his resuming duty and thereby exhibited misconduct in contravention of Rule 3 of APCS (Conduct) Rules, 1964”

Article of charge – II: “that Sri M. Rangaiah, Assistant Treasury Officer, while working as such at the Divisional Sub Treasury, Jammalamadgu though he has not attended to official duty between 25-07-2008 and 30-07-2008, has signed in the office records of those days as if he has attended the office and discharged official duties on those days with a dishonest motive and thereby exhibited misconduct in contravention of Rule 3 of APCS (Conduct) Rules, 1964”

Article of charge – III: “that Sri M. Rangaiah, Assistant Treasury Officer while working as such at the Divisional Sub Treasury, Jammalamadugu has failed to inform his controlling authority about his getting implicated in a criminal case vide Cr.No.130/08 of III town police station, Kurnool and his consequent charge sheeting in the court of JFCM, Kurnool and in turn requested for sanction of medical leave and thereby failed to maintain integrity and exhibited conduct unbecoming of a responsible Government Servant”

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI M. RANGAIAH, ATO (Retd.), DISTRICT TREASURY, NELLORE.

Smt. M.G. Anusuma, W/o Dr.M. Ramesh in her Lr.No.3/personal/08-09 dtd. 07-09-2008 has informed the DTA that Sri M. Rangaiah, ATO, Jammalamadugu, Kadapa District was an accused in CC.No130/08 dtd. 01-08-2008 in III Town Police Station Kurnool town and he was under arrest warrant and was absconding from police. She has also stated therein that a non-bailable warrant was pending against Sri M. Rangaiah and he was sending his men to her house and office to do harm to her. She furnished copies of FIR and her petition to the police. The departmental enquiries in this matter has found that a case of harassment of the said Smt Anusuma was reported in the III Town Police Station Kurnool on 01-08-2008 and it was registered in Cr.No.130/08 under Sec.498-A, 506 IPC and Sec.3 & 4 of Dowry Prohibition Act; that Sri M. Ramesh husband of the petitioner was arrested and sent to judicial custody on 17-09-2008 and that the said Sri M. Rangaiah, ATO and his wife got anticipatory bail on 29-09-2008 and were surrendered before judicial 1st class Magistrate, Kurnool on 30-09-2008. A charge sheet is also reported to have been filed on 18-09-2008.

2. The Deputy Director, District Treasury, Kadapa has conducted an enquiry at the DST, Jammalamadugu on 03-11-2008 and 01-12-2008 with reference to a complaint of the said Smt Anusuma that Sri M. Rangaiah has not attended office from 25-07-2008 to 30-07-2008 and recorded the statements of staff of the Sub Treasury and obtained certain documents from the records exhibiting the day to day transactions/business of the said Sub Treasury, and submitted his report stating that the said Sri M. Rangaiah has not attended the office during the period from 25-07-2008 to 30-07-2008 and that he had not passed any bills during the said period. On examination of the documentary evidence received through the said enquiry report, it is found that the bank lists from 25-07-2008 to 30-07-2008 were signed by the STO under the seal of ATO, Jammalamadugu; that stamps were issued by the STO and the SA on 25-07-2008 and the entries in the double lock register were attested by the STO and SA as ATO I/c and DLO respectively. The entry in the sales register of the stamps was also attested by the STO as ATO I/c. However there are no entries in the keys handing over register. The bank lists, the entries in the number book were made by the STO only during that period. It is also found that certain payments of pension were also made by the STO under the seal of ATO. Surprisingly, it is noticed that, the said Sri M. Rangaiah, has signed in the attendance register for the period from 25-07-2008 to 30-07-2008.

3. Some of the staff of the Sub Treasury in their statements recorded on 03-11-2008 have stated that the said Sri M. Rangaiah has attended the office from 25-07-2008 to 31-07-2008 and conducted official business. However, they have retraced the said statements subsequently and informed the Deputy Director, that the said Sri M. Rangaiah has not attended the office from 25-07-2008 to 30-07-2008. In their representation dated 03-04-2009 they have informed the DTA that they have given a statement dtd. 03-11-2008 owing to the pressures of Sri M. Rangaiah and informed that Sri M. Rangaiah, was not present from 25-07-2008 to 30-07-2008 and not discharged any Government transactions. They have also stated that Sri M. Rangaiah has signed in the attendance Register for those days on 31-07-2008 when he attended the office.

4. On the other hand, Sri M. Rangaiah, formerly ATO, Jammalamadugu in his Lr.Rc.No.ATO I/Estabt/08 dtd. 06-11-2008 addressed to the Deputy Director, District Treasury, Kadapa has furnished attested copies of the following documents:

- 1) A statement of pensioners Association, Jammalamadugu unit.
- 2) Xerox copy of attendance register for the month of July, 2008.
- 3) Statement of Sri M. Rangaiah, formerly ATO, dtd. 03-11-2008.
- 4) Statement dated. 03-11-2008 of Sri K. Sambasiva Reddy, Data entry operator.
- 5) Statement dtd. 04-11-2008 of Sri J. David, JA.
- 6) Attendance certificate of Sri M. Rangaiah, for the month of July, 2008 issued under the seal of S.T.O. on 01-08-2008.
- 7) Day Book of the Sub Treasury, Jammalamadugu, for the dates from 24-07-2008 to 29-07-2008 as signed by Sri M. Rangaiah, formerly ATO, Jammalamadugu, in different dates from 25-07-2008 to 30-07-2008.

- 8) STO Challan Number Book for the dates from 24-07-2008 to 30-07-2008 as signed by Sri M. Rangaiah, formerly ATO on different dates between 25-07-2008 to 30-07-2008.

5. From a cross verification of the above said documentary evidence it is noticed that the transactions of the Sub Treasury in the absence of the regular treasury officer were actually conducted by the STO, Sri Muralidhara Charyulu under the designation of ATO I/c. The STO has passed the bills for payment as I/c ATO. He signed the Bank lists, and sent the bills to the Bank. Sri M. Rangaiah, in his statement dtd. 03-11-2008 has stated that both ATO and STO used to pass the bills and do other record work also together. This argument of the individual is not acceptable for the reason that the STO cannot act under the designation of the ATO when the latter was on duty and while discharging responsibilities the former is not supposed to sign under the designation of ATO. Moreover, the double lock register of stamps also shows that Sri Muralidharacharyulu has issued non-judicial stamps worth Rs.30,000/- on 25-07-2008 in the capacity of ATO and another S.A Sri Eswaraiiah has signed as double lock officer. This further substantiates the argument that Sri M. Rangaiah was not on duty on 25-07-2008. Similarly, the following pension claims are found to have been passed by the STO under the designation seal of ATO.

- 1) Rs.3,30,600 towards DCRG and Rs.5,02,959/- towards CVP of Sri S. Subba Rao, vide token no.1880 and 1879 respectively on 25-07-2008.
- 2) Rs.1,60,688/- towards CVP to Smt. S. Sujanamma vide token no.1915 dtd. 28-07-2008.
- 3) Rs.2,55,750/- towards DCRG and Rs.3,89,112/- towards CVP to Sri Mohd. Ghouse Mohiddin vide token.No.1938 and 1937 respectively on 29-07-2008.

6. This confirms that the ATO was not present in the office and the STO has acted as ATO and passed the bills for payment as ATO I/c. Signing of Bank lists by the STO under the seal of ATO on those dates further confirms this fact. Above all, the statements of staff members dtd. 03-11-2008 and 01-12-2008 and representation dtd. 03-04-2009 evidently show that Sri M. Rangaiah has pressurized the staff members to give evidence in his favour to say that he was on duty from 25-07-2008 to 30-07-2008 and created false evidence by signing in the attendance register, day book and Challan number book with anti dates after his resuming to duty on 31-07-2008. The staff members who were not aware of the repercussions of giving such statements have retraced them after knowing that Sri M. Rangaiah was actually implicated in a criminal case. Their further statements make it clear that Sri M. Rangaiah, was not presented office from 25-07-2008 to 30-07-2008 and created false evidence by tampering with the records. Thus the charge-I and II

7. The said Sri M. Rangaiah, against whom a criminal case vide Cr.No.130/08 was filed in the III town police station, Kurnool on 01-08-2008 and was facing arrest by the police has not only failed to report the circumstances under which he was implicated in the criminal case but also made an application dtd. 02-08-2008 seeking for sanction of leave on medical grounds from 03-08-2008 to 30-09-2008. The said leave letter was forwarded by the said Sri M. Rangaiah under the designation of ATO, Jammalamadugu, though he was not on duty and it was received in the District Treasury, Kadapa on 29-08-2008. There is no file of this leave letter and its forwarding to the Deputy Director, Kadapa. A letter dtd. 12.10.2008 of SI of Police, III town police station, Kurnool shows that the charge sheet filed in the Court of the Judicial First Class Magistrate, Kurnool on 18.9.2008 and the order dated 29.9.2008 of the Court of the Special Judge for trial of cases under SC ST (PoA) Act-cum-VI Additional District & Sessions Judge, Kurnool revealed that the said Sri M. Rangaiah, along with his family members was implicated in the above said criminal case, an arrest warrant was issued against him and was granted bail on 30-09-2008 consequent on his surrender before the VI Additional District & Sessions Judge, Kurnool on 29-09-2008. From this it is obvious that Sri M. Rangaiah was absent from duties not on medical grounds but it was because of his implication in a criminal case and to evade arrest by the police. Hence, the charge-III

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

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SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. RANGAIAH, ATO (Retd.) ARE PROPOSED TO BE SUSTAINED.

1. Statements of the staff of S.T. Jammalamadugu dtd. 03-11-2008 and 01-12-2008.
2. Representation of certain staff of S.T, Jammalamadugu dtd. 03-04-2009.
3. Bank lists from 25-07-2008 to 30-07-2008 of S.T., Jammalamadugu.
4. Sales register of stamps for the month of July, 2008.
5. STO number book for the month of July, 2008.
6. Report of DD, DT, Kadapa in his Ir.No.A5/4884/2008 dtd. 22-12-2008.
7. Lr.Rc.No.ATO-1/Estabt/08 dtd. 06-11-2008 of ATO, Jammalamadugu and its enclosures.
8. Attendance register for the month of July, 2008.
9. CVP authorization No.14-013377/CVP dtd. 03-07-2008 in r/o Sri S. Subba Rao, Paid on 25-07-2008.
10. Gratuity payment order No.14-013377/RG dtd. 03-07-2008 in r/o S. Subba Rao. Paid on 25-07-2008.
11. Rc.No.929/A2/07-08/pen. dtd. 26-02-2008 of District Audit Officer, State Audit, Kadapa in which CVP paid to Smt.. S. Sujanamma dtd. 28-07-2008.
12. CVP authorization no.14-013364/CV, dtd. 25-06-2008 in r/o Sri Mohd Ghouse Mohiddin paid on 29-07-2008
13. Annexure in which the entries regarding the payments of DCRG and CVP to Sri M. Ghouse Mohiddin vide token No.1938 and 1937 Respectively, were made
14. First Information Record No.130/08 dated 01.8.2008 of III Town PS, Kurnool filed against accused Sri Dr. Ramesh, Son of Sri M. Rangaiah; Sri M. Rangaiah & Wife of Sri M. Rangaiah
15. Charge Sheet filed in Cr.No.130/2008 against the accused persons viz: Sri Dr.M.Ramesh, Sri M. Rangaiah and Smt. M. Anjanamma in the Court of the Judicial First Class Magistrate, Kurnool on 18.9.2008
16. Orders dated 29.9.2008 of the Court of the Special Judge for trial of cases under SC ST (PoA) Act-cum-VI Additional District & Sessions Judge, Kurnool
17. Letter dated 12.10.2008 of Sub-Inspector of Police, Kurnool III Town PS addressed to the DD (FAC), DTO, Kadapa

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

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ANNEXURE-IV

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED
AGAINST Sri M. RANGAIAH, ATO (Retd.) ARE PROPOSED TO BE
SUSTAINED.**

1. Sri R. Muralidharacharyulu, Sub Treasury Officer, O/o the DST,
Jammalamadugu.
2. Sri K. Eswaraiah, Senior Accountant, O/o the DST, Jammalamadugu.
3. Smt. R. Babakka, Senior Accountant, O/o the DST, Jammalamadugu.
4. Smt. B. Prameela Devi, Senior Accountant, O/o the DST, Jammalamadugu
5. Sri J. David, Junior Accountant, O/o the DST, Jammalamadugu.
6. Sri G. Rajendra Kumar, Shroff, O/o the DST, Jammalamadugu.
7. K. Jaya Ramudu, Office Subordinate, O/o the DST, Jammalamadugu.

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

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SECTION OFFICER